

Coast Guard, DHS

§ 164.013-3

recognized laboratory or from the Commandant.

(b) The condition which may be the cause for termination of listing and labeling may be any of the following:

(1) When the manufacturer does not desire to retain the service.

(2) When the listed product is no longer being manufactured.

(3) When manufacturer's own program does not provide suitable assurance of the quality of the listed and labeled product being manufactured.

(4) When the product manufactured no longer conforms to the current applicable requirements of the U.S. Coast Guard and the recognized laboratory.

(5) When service experience or laboratory or U.S. Coast Guard reports indicate a product is unsatisfactory.

[CGFR 70-143, 35 FR 19967, Dec. 30, 1970]

Subpart 164.013—Foam, Unicellular Polyethylene (Buoyant, Slab, Slitted Trigonal Pattern)

SOURCE: CGD 95-028, 62 FR 51216, Sept. 30, 1997, unless otherwise noted.

§ 164.013-1 Scope.

(a) This subpart contains performance requirements, acceptance tests, and production testing and inspection requirements for polyethylene foam used in the construction of personal flotation devices (PFDs) approved under part 160 of this subchapter. Manufacturers shall also comply with the requirements of subpart 164.019 of this chapter.

(b) All polyethylene foams accepted under this subpart are non-standard components. Acceptance of polyethylene foam prior to being incorporated into finished PFDs, or during the course of manufacture, shall in no case be construed as a guarantee of the acceptance of the finished PFD.

§ 164.013-2 Incorporation by reference.

(a) Certain materials are incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than the one listed in paragraph (b) of this section,

notice of change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material incorporated by reference may be inspected at the National Archives and Records Administration (NARA), and at the U.S. Coast Guard, Lifesaving and Fire Safety Division (CG-5214), 2100 2nd St., SW., Stop 7126, Washington, DC 20593-7126, and is available from the source indicated in paragraph (b) of this section. For information on the availability of this material at NARA, call 202-741-6030, or go to:

http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) The materials approved for incorporation by reference in this subpart, and the sections affected are as follows:

UNDERWRITERS LABORATORIES (UL)

Underwriters Laboratories, Inc., P.O. Box 13995, Research Triangle Park, NC 27709-3995 (Phone (919) 549-1400; Facsimile: (919) 549-1842).

UL 1191, Standards for Components for Personal Flotation Devices, May 16, 1995—164.013-3; 160.013-5.

1(c) *Copies on file.* Copies of the specifications and letter of acceptance shall be kept on file by the manufacturer.

[CGD 95-028, 62 FR 51216, Sept. 30, 1997, as amended at 69 FR 18803, Apr. 9, 2004; USCG-2009-0702, 74 FR 49238, Sept. 25, 2009]

§ 164.013-3 Material properties and workmanship.

(a) *General.* The unicellular polyethylene foam shall be all new material complying with the requirements outlined in this specification. Unicellular polyethylene foam must comply with the requirements of UL 1191, sections 24, 25, and 26 and its assigned Use Code. Thickness tolerances of the foam must permit the manufacture of PFDs complying with their required buoyancy tolerances.

(b) *Use Codes 4BC, 4H.* Each foam which has a C-factor of at least 94 according to UL 1191 may be assigned Use Codes 4BC and 4H.

(c) *Use Codes 2, 3, 5R.* Each foam which has a V-factor of at least 85 according to UL 1191 may be assigned Use Codes 2, 3, 5R (recreational use applications).